

R E M A R K S

Claims 2, 3, 19 and 20 remain pending in this application.

Applicant notes the Examiner's indication that claim 19 remains allowed.

Claim 2 has been amended above. The recitations of a C₄ alkyl-substituted alkylene, e.g., propylmethylene, and para-position relationships are supported in the original disclosure at, for example, page 7, lines 8-17.

Claim 2 has been rejected under 35 U.S.C. § 102(b) as being anticipated by JP 5-222256.

Applicant respectfully traverses this rejection.

Compound 2 on page 3 of JP '256 possesses a methylene (-CH₂-) X group, which is not a C₄ alkyl-substituted alkylene as recited in amended claim 2. Further, compound 2 on page 3 of JP '256 shows its phosphonite and hydroxyl groups in ortho-positions relative to its methylene X group, whereas amended claim 2 recites a para relationship.

For these reasons, reconsideration and withdrawal of the Section 102(b) rejection of claim 2 is respectfully requested.

Claims 3 and 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over JP '256.

Applicant respectfully traverses this rejection.

The Examiner premises this rejection on his assertion that the methylene species disclosed by JP '256 is "embraced by [the] instant compounds." (Office Action, page 4, lines 13-15. Applicant disagrees. As amended, claim 2 recites that X is a C₄ substituted alkylene, as such does not embrace the methylene group of JP '256. The X group of JP '256 possesses neither multiple carbon atoms or an alkyl substituent. Additionally, JP '256 does not

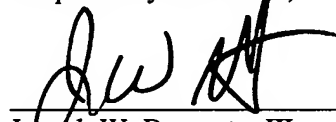
reasonably suggest modifying its compound to move its phosphonite and hydroxyl groups from ortho-positions to para-positions relative to its methylene X group.

For these reasons, Applicant respectfully submits that the Section 103(a) rejection of claims 3 and 19 is misplaced, and requests reconsideration and withdrawal of the same.

If any fees (e.g., extension, claims, etc.) are due in connection with the filing of this response, please charge Deposit Account No. 50-0548 and accept this paper as a petition for extension, if necessary.

If, after reviewing the above amendments and remarks, the Examiner believes that any issues remain unresolved, the Examiner is respectfully requested to contact the undersigned, by telephone, to schedule an interview to address such issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JW Berenato', is written over a horizontal line.

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